



BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2010-0014; FRL-9902-41]

### Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In accordance with section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is issuing a notice of receipt of requests by registrants to voluntarily cancel certain pesticide registrations. EPA intends to grant these requests at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of the requests, or unless the registrants withdraw their requests. If these requests are granted, any sale, distribution, or use of products listed in this notice will be permitted after the registration has been cancelled only if such sale, distribution, or use is consistent with the terms as described in the final order.

**DATES:** Comments must be received on or before [*insert date 180 days after date of publication in the Federal Register*].

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2010-0014, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

Submit written withdrawal requests by mail to: Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. ATTN: John W. Pates, Jr.

- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.html>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** John W. Pates, Jr., Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8195; email address: [pates.john@epa.gov](mailto:pates.john@epa.gov).

## **SUPPLEMENTARY INFORMATION:**

### **I. General Information**

#### *A. Does this Action Apply to Me?*

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides.

#### *B. What Should I Consider as I Prepare My Comments for EPA?*

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:
- i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).
  - ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
  - iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
  - iv. Describe any assumptions and provide any technical information and/or data that you used.
  - v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
  - vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

## II. What Action is the Agency Taking?

This notice announces receipt by the Agency of requests from registrants to cancel 31 pesticide products registered under FIFRA section 3 or 24(c). These registrations are listed in sequence by registration number (or company number and FIFRA section 24(c) number) in Table 1 of this unit.

Unless the Agency determines that there are substantive comments that warrant further review of the requests or the registrants withdraw their requests, EPA intends to issue an order in the **Federal Register** canceling all of the affected registrations.

**Table 1.--Registrations with Pending Requests for Cancellation**

Registration No.	Product Name	Chemical Name
000004-00406	Eight Insect Control Garden & Home Insect Control Ready-to-Use	Permethrin
000241-00379	Raptor Herbicide	Imazamox
000264-00940	Gustafson Vitavax-PCNB Flowable Fungicide	Pentachloronitrobenzene & Carboxin
000264-00943	RTU-Vitavax-Thiram Seed Protectant Fungicide	Thiram & Carboxin
000264-00948	Gustafson LSP Flowable Fungicide	Thiabendazole
000264-00952	Kodiak HB Biological Fungicide	Bacillus subtilis GB03
000264-00953	Kodiak A-T Fungicide	Pentachloronitrobenzene, Bacillus subtilis GB03 & Metalaxyl
000264-00958	Tops MZ Potato Seed-Piece Treatment Fungicide	Mancozeb & Thiophanate-methyl
000264-00974	Gustafson AG-Streptomycin	Streptomycin sulfate
000264-00984	Titan FL	Clothianidin, Thiram, Metalaxyl & Carboxin

000264-01013	Ipconazole Metalaxyl MD (S)	Metalaxyl & Ipconazole
000264-01014	Gustafson Allegiance Dry Seed Protectant Fungicide	Metalaxyl
000264-01015	Prevail Allegiance Terraclor Vitavax Fungicide	Pentachloronitrobenzene, Carboxin & Metalaxyl
000264-01016	Stiletto Pak	Thiram, Carboxin & Metalaxyl
000264-01017	Imidacloprid Vitavax Metalaxyl Seed Treatment	Carboxin, Imidacloprid & Metalaxyl
000264-01018	Protector-L-Allegiance	Thiram & Metalaxyl
000264-01019	Stiletto	Thiram, Carboxin & Metalaxyl
000264-01035	Prosper T200 Insecticide and Fungicide Seed Treatment	Metalaxyl, Carboxin, Trifloxystrobin & Clothianidin
000264-01079	Three-Way VAP	Clothianidin, Ipconazole & Metalaxyl
000264-01082	Proceed Plus	Metalaxyl, Tebuconazole, Prothioconazole & Clothianidin
000464-00667	Bioban CS-1246	Oxazolidine-E
035935-00076	Prodiamine Technical	Prodiamine
053883-00029	Viper WP	Cypermethrin
062719-00505	GF-120 NF Naturalyte Fruit Fly Bait	Spinosad
067517-00047	Hard Hitter Wettable Powder	Permethrin
069361-00033	Propicon 3.6 EC Fungicide	Propiconazole
AZ-080015	Proclipse 65 WDG	Prodiamine
CA-080022	Proclipse 65 WDG	Prodiamine
CO-940006	Comite II	Propargite
MA-050002	Abound Flowable Fungicide	Azoxystrobin
OR-090001	Sluggo Slug and Snail Bait	Phosphoric acid, iron(3+) salt (1:1)

Table 2 of this unit includes the names and addresses of record for all registrants of the products in Table 1 of this unit, in sequence by EPA company number. This number corresponds to the first part of the EPA registration numbers of the products listed in this unit.

**Table 2.--Registrants Requesting Voluntary Cancellation**

<b>EPA Company No.</b>	<b>Company Name and Address</b>
4	Bonide Products, Inc. Agent: Registrations By Design Inc. PO Box 1019 Salem, VA 24153-1019
241	BASF Corporation 26 Davis Drive, P.O. Box 13528 Research Triangle Park, NC 27709-3528

264	Bayer CropScience LP 2 TW Alexander Drive P.O. Box 12014 Research Triangle Park, NC 27709
464	The Dow Chemical Company 1500 East Lake Cook Road Buffalo Grove, IL 60089
35935	Nufarm Limited Agent: Nufarm Limited 4020 Aerial Center Pkwy Suite 103 Morrisville, NC 27560
53883	Controls Solutions, Inc. 5903 Genoa-Red Bluff Road Pasadena, TX 77507-1041
62719	Dow AgroSciences 9330 Zionsville Road Indianapolis, IN 46268
67517	Virbac Animal Health 3200 Meacham Boulevard Fort Worth, TX 76137
69361	Repar Corp Agent: Madava Associates, LLC 1050 Connecticut Ave., NW Suite 1000 Washington, DC 20036
AZ-080015, CA-080022	Nufarm Americas, Inc. Agent: Nufarm Americas, Inc. 4020 Aerial Center Pkwy Suite 101 Morrisville, NC 27560
CO-940006	Chemtura Corporation 199 Benson Road Middlebury, CT 06749
MA-050002	Syngenta Crop Protection, LLC 410 Swing Road P.O. Box 18300 Greensboro, NC 27419-8300
OR-090001	W. Neudorff GMBH KG 1008 Riva Ridge Drive Great Falls, VA 22066

### III. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled. FIFRA further

provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**.

Section 6(f)(1)(B) of FIFRA requires that before acting on a request for voluntary cancellation, EPA must provide a 30-day public comment period on the request for voluntary cancellation or use termination. In addition, FIFRA section 6(f)(1)(C) requires that EPA provide a 180-day comment period on a request for voluntary cancellation or termination of any minor agricultural use before granting the request, unless:

1. The registrants request a waiver of the comment period, or
2. The EPA Administrator determines that continued use of the pesticide would pose an unreasonable adverse effect on the environment.

The registrants in Table 2 of Unit II. have not requested that EPA waive the 180-day comment period. Accordingly, EPA will provide a 180-day comment period on the proposed requests.

#### **IV. Procedures for Withdrawal of Request**

Registrants who choose to withdraw a request for cancellation should submit such withdrawal in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. If the products have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling.

#### **V. Provisions for Disposition of Existing Stocks**

Existing stocks are those stocks of registered pesticide products that are currently in the United States and that were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. Because the Agency has identified no

significant potential risk concerns associated with these pesticide products, upon cancellation of the products identified in Table 1 of Unit II., EPA anticipates allowing registrants to sell and distribute existing stocks of these products for 1 year after publication of the cancellation order in the **Federal Register**. Thereafter, registrants will be prohibited from selling or distributing the pesticides identified in Table 1 of Unit II., except for export consistent with FIFRA section 17 or for proper disposal. Persons other than registrants will generally be allowed to sell, distribute, or use existing stocks until such stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.



**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: November 21, 2013.

Michael Goodis,

*Acting Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.*

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